IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 24TH OCTOBER 2007 / 2ND KARTHIKA 1929

WP(C).No. 28470 of 2007(L)

PETITIONER:

B.SUKUMARI AMMA,
W/O.R.PARAMESWARAN PILLAI, AGED 56 YEARS, APSARA
COTTAGE, PUDUSSERY, PALAKKAD DISTRICT.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENTS:

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1. THE DIRECTOR,
DEPT.OF GENERAL EDUCATION, GOVT.SECRETARIAT,
TRIVANDRUM.

2. THE DISTRICT EDUCATIONAL OFFICER,
PALAKKAD DISTRICT.

3. A. STARSON JAMES,
THE DISTRICT EDUCTIONAL OFFICER, PALAKKAD DIST.

4. M.DAKSHAYANI JAYASREE,
W/O.V.V.MURALIKUMAR, AGED 49 YEARS,
SENIOR SUPERINTENDENT, OFFICE OF THE ASSISTANT
EDUCATIONAL OFFICER, CHITTUR, PALAKKAD DIST.

5. THE HEAD MASTER, S.V.S.M.U.P. SCHOOL,
PUDUSSERY, PALAKKAD.

BY GOVERNMENT PLEADER SRI. A.J. VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)No. 28470 OF 2007

Dated this the 24th day of October, 2007

JUDGMENT

The petitioner raised certain complaints against 3rd and 4th respondents regarding delay in issue of his non-liability certificate for the purpose of drawing pension. The Director of Public Instruction directed the District Educational Officer to conduct an enquiry into the allegations raised by the petitioner against respondents 3 and 4. Pursuant to the same, the District Educational officer issued Ext.P8 notice to the petitioner to appear before him with the relevant documents. It appears that the the 3rd respondent was subsequently promoted as District Educational Officer and he himself issued Ext.P8. The complaint of the petitioner is that now the very same person against whom allegations have been raised by the petitioner has been entrusted with the task of conducting the enquiry into those allegations. It would be on the face of itself a farce, contends the petitioner. The petitioner therefore seeks the following relief in the writ petition.

> "i) issue a writ in the nature of mandamus commanding the 1st respondent to issue appropriate orders directing that the enquiry pursuant to Ext.P8 be conducted by an officer, higher in rank than the 2nd respondent.

2. The learned Government pleader on instructions submits that the Director of Public Instruction has subsequently directed the Deputy Director of Education to conduct the enquiry instead of District Educational Officer on being apprised of the facts. In view of the same, the grievance of the petitioner has been suitably redressed.

Accordingly, recording the submission of the learned Government pleader this writ petition is closed.

S. SIRI JAGAN, JUDGE

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